

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Richmond Division

IN RE:	)	
	)	
SANDRA SMILEK-EDWARDS	)	21-30073-KRH
	)	Chapter 13
Debtor	)	

**ORDER APPROVING LOAN MODIFICATION**

THIS MATTER came to be heard on the Motion of the Debtor to Approve a Loan Modification; and it

APPEARING TO THE COURT that the Debtor filed this case under Chapter 13 of the U.S. Bankruptcy Code on January 11, 2021; and it

FURTHER APPEARING that Wells Fargo Bank N.A. (“WFB”) is a secured creditor of the Debtor which holds a promissory note from the Debtor (“Note”) secured by a first deed of trust on the Debtor’s real property at 1407 Pritchard Terr., Richmond, VA 23235, and further described as follows (the “Property”):

ALL that certain lot, piece, or parcel of land, together with improvements thereon and appurtenances thereunto belonging, lying and being in Clover Hill District, Chesterfield County, Virginia, designated as Lot 9, Section D, Stonemill, as shown on plat made by Balzer & Associates, Inc., dated June 12 1995 and entitled, “Stonemill Section D, Clover Hill District, Chesterfield County, Virginia, Subdivision Identification No.: 000-7010-04”, recorded in the Clerk’s Office, Circuit Court, Chesterfield County, Virginia, in Plat Book 88, page 72, and reference to which plat is hereby made for a more particular description of said real estates.

; and it

James E. Kane (VSB #30081)  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219  
(804) 225-9500 (phone)  
(804) 225-9598 (fax)  
*Counsel for Debtor*

FURTHER APPEARING that the Debtor has applied for and WFB has approved a modification of the Note maintaining the Debtor's monthly payment of principal, interest, and escrow on the Note of \$481.30, increasing the annual interest rate of 3.00%, increasing the unpaid principal balance from \$49,581.81 to \$51,893.46, extending the maturity date to December 1, 2051, and incorporating pre-petition and post-petition arrearages around \$8,438.47 into the modified loan; and it

FURTHER APPEARING that the Debtor filed a Motion and Notice to Approve the foregoing loan modification with notice to the Chapter 13 Trustee and all creditors; and it

FURTHER APPEARING that no responses or objections have been filed to said Motion and Notice and that the foregoing modification is in the best interest of the Debtor and will facilitate the Debtor's ability to perform under the Chapter 13 Plan filed herein; it is therefore

ORDERED that the Debtor's Motion to Approve the foregoing loan modification be and the same is hereby GRANTED; and it is

FURTHER ORDERED that all mortgage arrears are included in the loan modification and the Chapter 13 trustee is relieved of any obligation to pay the arrears claim of the lender; and the lender shall amend its proof of claim accordingly.

Date: Feb 11 2022

/s/ Kevin R Huennekens  
United States Bankruptcy Judge

Entered on Docket: Feb 11 2022

PRESENTED BY:

/s/ James E. Kane

James E. Kane (VSB #30081)

KANE & PAPA, P.C.

1313 East Cary Street

Richmond, VA 23219

(804) 225-9500 (phone)

(804) 225-9598 (fax)

*Counsel for Debtor*

SEEN:

/s/ Carl M. Bates

Carl M. Bates, Chapter 13 Trustee

P.O. Box 1819

Richmond, VA 23218

Phone: (804)-237-6800

**CERTIFICATION OF COUNSEL**

I hereby certify that this Order has been endorsed by all necessary parties.

/s/ James E. Kane

James E. Kane

**Parties to Receive Copies**

James E. Kane, Esquire  
KANE & PAPA, P.C.  
1313 East Cary Street  
Richmond, VA 23219

Sandra Smilek-Edwards  
1407 Pritchard Terrace  
North Chesterfield, VA 23235

Carl M. Bates, Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

Wells Fargo Bank  
One Home Campus  
Des Moines, IA 50328

United States Bankruptcy Court  
Eastern District of Virginia

In re:  
Sandra Smilek-Edwards  
Debtor

Case No. 21-30073-KRH  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0422-7  
Date Rcvd: Feb 11, 2022

User: bullockn  
Form ID: pdford11

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 13, 2022:

Recip ID	Recipient Name and Address
db	+ Sandra Smilek-Edwards, 1407 Pritchard Terrace, North Chesterfield, VA 23235-6294
	+ Wells Fargo Bank, One Home Campus, Des Moines, IA 50328-0001

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 13, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 11, 2022 at the address(es) listed below:

Name	Email Address
Carl M. Bates	station01@richchap13.com station10@richchap13.com;station03@richchap13.com;station07@richchap13.com;station06@richchap13.com
Deborah S. Kirkpatrick	on behalf of Creditor Branch Banking & Trust Company now Truist debbie@kirkpatrickpc.com
James E. Kane	on behalf of Debtor Sandra Smilek-Edwards jkane@kaneandpapa.com info@kaneandpapa.com,jason.kane@kaneandpapa.com,jkrumbein@kaneandpapa.com,awilson@kaneandpapa.com,sfalkowski@kaneandpapa.com,carolyncrone@icloud.com
John P. Fitzgerald, III	USTPRegion04.RH.ECF@usdoj.gov
Katherine Gray Dickinson	

District/off: 0422-7  
Date Rcvd: Feb 11, 2022

User: bullockn  
Form ID: pdford11

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Total Noticed: 2

on behalf of Creditor Wells Fargo Bank N.A. bkvaecfupdates@bww-law.com

Matthew Christopher Rawls

on behalf of Creditor Wells Fargo Bank N.A. matthew.rawls@bww-law.com, bankruptcy@bww-law.com

Stephen H. Sherman

on behalf of Creditor Atlas Acquisitions LLC ssherman@kahrlwutscherllp.com

TOTAL: 7